

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

GREATER ST. LOUIS CONSTRUCT. )  
LABORERS WELFARE FUND, et al., )

Plaintiffs, )

v. )

Case No. 4: 20 CV 1250 RWS

B.F.W. CONTRACTING, LLC, et al., )

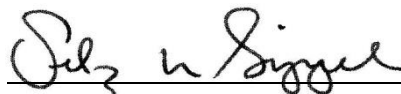
Defendants. )

**MEMORANDUM AND ORDER**

Defendants filed a motion to stay pending appeal with this Court. ECF 75. Although this Court has the authority to grant stays pending appeal under certain circumstances, *see* Fed. R. App. P. 8(a)(1), defendants' motion relies on Federal Rule of Appellate Procedure 8(a)(2), which permits the Court of Appeals – not this Court -- to grant a stay pending appeal and requires the motion “to be filed with the circuit clerk.”

Accordingly,

**IT IS HEREBY ORDERED** that defendants' motion for stay pending appeal [75] is denied without prejudice to being refiled with the Court of Appeals.



RODNEY W. SIPPEL

UNITED STATES DISTRICT JUDGE

Dated this 31st day of May, 2022.